

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Action No. 1:21-cv-11181-PBS

INA STEINER, DAVID STEINER, and STEINER
ASSOCIATES LLC,

Plaintiffs,

v.

EBAY, INC., et al.

Defendants.

DEFENDANT STEPHANIE POPP’S MOTION TO DISMISS

Defendant Stephanie Popp (“Ms. Popp”) hereby moves, pursuant to Fed. R. Civ. P. 12(b)(6), to dismiss Counts II, IV, VIII, IX, X, XI, and XII of Plaintiffs’ Amended Complaint for failure to state a claim upon which relief may be granted.

First, the Amended Complaint brings each claim against “all Defendants” and fails to put Ms. Popp on notice as to how she is purportedly liable under each cause of action. *See* Fed. R. Civ. P. 8(a). Further, the Complaint fails to establish the necessary elements of the claims. For these reasons, and those set forth in the supporting Memorandum filed herewith, Plaintiffs have failed to state a claim as a matter of law against Ms. Popp as to Counts II, IV, VIII, IX, X, XI, and XII.

WHEREFORE, Ms. Popp respectfully requests that this Court dismiss those counts with prejudice.

Respectfully submitted,

STEPHANIE POPP,

By her attorney,



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